

Senate Bill No. 1518

CHAPTER 261

An act to amend Section 6512 of the Health and Safety Code, and to amend Section 10633 of the Water Code, relating to water.

[Approved by Governor August 24, 2002. Filed with Secretary of State August 26, 2002.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1518, Torlakson. Recycled water.

(1) Existing law requires a sanitary district that includes any part of a city, water district, or other local agency that provides water service to any territory in the district to obtain the consent of that city, water district, or other local agency prior to supplying water service to that territory.

This bill would provide that this requirement does not apply to the provision of recycled water by a sanitary district. The bill, except as otherwise provided, would prohibit a sanitary district from supplying water service using recycled water to the territory of any part of a city, water district, or other local public entity providing water service, or from commencing construction of facilities for that service, prior to offering to consult with that entity and providing notification of availability for consultation.

(2) Existing law requires every urban water supplier to prepare and periodically update an urban water management plan for submission to the Department of Water Resources. Existing law requires the supplier to describe in the plan the projected use of recycled water within the supplier's service area at the end of 5, 10, 15, and 20 years.

This bill would require the supplier to include in the plan a description of the actual use of recycled water in comparison to previously projected uses, and a description of the quantity of treated wastewater that meets recycled water standards, is being discharged, and is otherwise available for use in a recycled water project.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

- (a) California is experiencing substantial water shortage statewide.
- (b) The state's population is growing by approximately 750,000 people a year, and is expected to approach 50 million by 2020.

(c) This boom in population will nearly double the demand for water supply in urban areas by 2020, compounding the shortage problem.

(d) The state needs to take action that will help alleviate these problems by expanding options for securing water supply.

(e) The state has a tremendous capacity to use reclaimed water for a range of uses.

(f) The Legislature has established goals for water recycling in the state, namely to reclaim and reuse one million acre-feet annually by 2010.

(g) It is the policy of the State of California to do what it can to encourage and facilitate the expanded use of recycled water.

SEC. 2. Section 6512 of the Health and Safety Code is amended to read:

6512. (a) A district may acquire, plan, construct, reconstruct, alter, enlarge, lay, renew, replace, maintain, and operate garbage dumpsites and garbage collection and disposal systems, sewers, drains, septic tanks, and sewerage collection, outfall, treatment works and other sanitary disposal systems, and storm water drains and storm water collection, outfall and disposal systems, and water recycling and distribution systems, as the board deems necessary and proper, and in the performance of these functions, either in or out of the district, it may join through joint powers agreements pursuant to the provisions of Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code, or through other means with any county or municipality or any other district or governmental agency.

(b) Before any garbage dump is established, the location shall first be approved by the county health officer, and, in addition, if the location is within two miles of any city, the consent of the governing body of the city shall first be secured.

(c) (1) If the district includes any part of a city, water district, or other local agency that provides water service to any territory in the district, the district shall not supply water service to the territory unless the district first obtains the consent of the city, water district, or other local agency. The consent shall not be revoked, if the revocation will result in a decrease of the revenues available to pay the outstanding bonds of the district.

(2) Paragraph (1) does not apply to the provision of recycled water by a district.

(3) (A) Subject to subparagraph (B), a district may not supply water service using recycled water to the territory of any part of a city, water district, or other local public entity providing water service, or commence construction of facilities for that service, prior to offering to consult with that city, water district, or other local public entity, and



providing notification of availability for consultation. The obligation to consult terminates if that local public entity providing water service fails to make itself available for consultation within 60 days of written notification to that local public entity.

(B) The consultation and notification requirements described in subparagraph (A) do not apply to a district if the district, prior to supplying water or commencing construction as described in subparagraph (A), provides notification to the local public entity pursuant to Section 65604 of the Government Code or submits a written request to the local public entity pursuant to subdivision (b) of Section 13580 of the Water Code.

(d) The Department of Water Resources may assist sanitary districts in applying for, and in obtaining approval of, federal and state funding and permits for cost-effective water recycling projects and shall confer and cooperate with the legislative body of the district during the application and approval process.

SEC. 3. Section 10633 of the Water Code is amended to read:

10633. The plan shall provide, to the extent available, information on recycled water and its potential for use as a water source in the service area of the urban water supplier. The preparation of the plan shall be coordinated with local water, wastewater, groundwater, and planning agencies that operate within the supplier's service area, and shall include all of the following:

(a) A description of the wastewater collection and treatment systems in the supplier's service area, including a quantification of the amount of wastewater collected and treated and the methods of wastewater disposal.

(b) A description of the quantity of treated wastewater that meets recycled water standards, is being discharged, and is otherwise available for use in a recycled water project.

(c) A description of the recycled water currently being used in the supplier's service area, including, but not limited to, the type, place, and quantity of use.

(d) A description and quantification of the potential uses of recycled water, including, but not limited to, agricultural irrigation, landscape irrigation, wildlife habitat enhancement, wetlands, industrial reuse, groundwater recharge, and other appropriate uses, and a determination with regard to the technical and economic feasibility of serving those uses.

(e) The projected use of recycled water within the supplier's service area at the end of 5, 10, 15, and 20 years, and a description of the actual use of recycled water in comparison to uses previously projected pursuant to this subdivision.



(f) A description of actions, including financial incentives, which may be taken to encourage the use of recycled water, and the projected results of these actions in terms of acre-feet of recycled water used per year.

(g) A plan for optimizing the use of recycled water in the supplier's service area, including actions to facilitate the installation of dual distribution systems, to promote recirculating uses, to facilitate the increased use of treated wastewater that meets recycled water standards, and to overcome any obstacles to achieving that increased use.

SEC. 4. It is the intent of the Legislature to encourage the use of recycled water for nonpotable uses as a cost-effective, reliable method of helping to meet California's water supply needs. This act does not alter any rights, remedies, or obligations that may exist pursuant to Article 1.5 (commencing with Section 1210) of Chapter 1 of Part 2 of Division 2 of the Water Code or Chapter 8.5 (commencing with Section 1501) of Part 1 of Division 1 of the Public Utilities Code.

